

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTOPHER TIBBENS,	:	Civil No. 1:18-cv-2112
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CLINT A. SNYDER,	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, SCI CAMP HILL,	:	
and JOHN DOE DEFENDANTS 1-10,	:	
	:	
Defendants.	:	Judge Sylvia H. Rambo

O R D E R

Before the court is a report and recommendation of the magistrate judge (Doc. 11) in which she recommends that the moving defendants' motion to dismiss be granted in part and denied as moot in part. No objections have been filed.

In considering whether to adopt a report and recommendation when no objections have been filed, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record, the court is satisfied that the report and recommendation contains no clear error and will therefore adopt the recommendation insofar as the motion to dismiss will be granted.

Accordingly, **IT IS HEREBY ORDERED** as follows:

- 1) The report and recommendation is **ADOPTED**.
- 2) The motion to dismiss (Doc. 5) is **GRANTED**.
- 3) Leave to amend is **DENIED**.
- 4) The Clerk of Court is directed to **TERMINATE** the Commonwealth of Pennsylvania and SCI Camp Hill as parties to this action.
- 5) This case is remanded back to the magistrate judge for the issuance of a case management order and any further pre-trial proceedings.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: June 26, 2019